

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-8 are presently active in this case, Claims 1, 2, 5, and 6 having been amended by way of the present Amendment. Claims 7 and 8 were allowed.

In the outstanding Official Action, Claim 2 was objected to for a minor informality. Claim 2 has been amended as suggested on page 2 of the Official Action. Accordingly, the Applicants request the withdrawal of the objection to Claim 2.

The disclosure was objected to for minor informalities. Page 8 of the specification has been amended as suggested on page 2 of the Official Action. The Applicants therefore request the withdrawal of the objection to the disclosure.

Claim 1 was rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 has been amended to clarify that *the number of second contact patterns* (see, e.g., contact patterns 21 in Figure 4B of the present application) are defined as being smaller than *the number of first standard cells* (see, e.g., first standard cells 10 in Figure 4B). The Applicants submit that Claim 1 is definite, and therefore respectfully request the withdrawal of the indefiniteness rejection.

Claims 5 and 6 were indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 5 and 6 have been rewritten in independent form including all of the limitations of base Claim 1, and therefore Claims 5 and 6 are in condition for allowance.

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Claims 1, 2, and 4 were rejected under 35 U.S.C. 102(b) as being anticipated by Kumagai (U.S. Patent No. 6,057,568). Claim 3 was rejected under 35 U.S.C. 103(a) as being unpatentable over Kumagai. For the reasons discussed below, the Applicants request the withdrawal of the art rejections.

In the Office Action, the Kumagai reference is indicated as anticipating Claim 1. The Applicants note that a claim is anticipated only if each and every element as set forth in the claims is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). As will be demonstrated below, the Kumagai reference clearly does not meet each and every limitation of the independent Claim 1.

Claim 1 of the present application recites a semiconductor integrated circuit device comprising a plurality of first standard cells that form a cell array, each of the first standard cells having no contact pattern; a second standard cell that forms the cell array in combination with the first standard cells, the second standard cell having first contact patterns; and second contact patterns placed within the cell array and at least between the first standard cells, where the number of the second contact patterns is smaller than the number of the first standard cells. The Applicants submit that the Kumagai reference does not disclose all of the above limitations.

As noted above, amended Claim 1 advantageously recites that the second contact patterns are placed within the cell array and at least between the first standard cells. In addition, Claim 1 recites that the number of second contact patterns is smaller than the number of first standard cells. With such a structure, the second contact patterns can be placed appropriately within the cell array. Thus, the presence of more regions for the second

contact patterns than necessary is avoided, allowing the packing density of cells per unit area to be increased. In other words, it becomes possible to prevent an increase in the size of the cell array, an increase in the chip size and a reduction in the interconnection region.

The Kumagai reference is cited in the Official Action as depicting in Figure 7A a group of P-channel MOS transistors (401) and a group of N-channel MOS transistors (402), which are cited as the “first standard cells” of Claim 1, and a basic cell (403), which is cited as the “second standard cell” of Claim 1. The Official Action cites contacts (415) to active regions (406a-406c and 407a-407c) for the teaching of the “first contact patterns” of Claim 1, and contacts (415) to gate regions (408a-408b and 409a-409b) for the teaching of the “second contact patterns” of Claim 1. Thus, in contrast to the present invention, the number (namely, four) of contacts (415) to gate regions (408a-408b and 409a-409b) is not smaller than the number of the group of P-channel MOS transistors (401) and the group of N-channel MOS transistors (402). In other words, even assuming for the sake of argument that the features cited in the Kumagai reference are equivalent to the recited features of the present invention, the Kumagai reference does not disclose a device in which the number of second contact patterns is smaller than the number of first standard cells.

Furthermore, the Kumagai reference does not disclose any contacts that are placed at least between the group of P-channel MOS transistors (401) and the group of N-channel MOS transistors (402), which are cited as the “first standard cells” of Claim 1. In other words, even assuming for the sake of argument that the features cited in the Kumagai reference are equivalent to the recited features of the present invention, the Kumagai reference does not disclose a device in which the second contact patterns are placed within the cell array and at least between the first standard cells. As is evident from a review of

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Figure 7A of the Kumagai reference, the Kumagai reference does not disclose any contacts that are placed at least between groups (401) and (402).

Accordingly, as the Kumagai reference fails to disclose all of the limitations expressly recited in Claim 1 of the present application, the Applicants respectfully request the withdrawal of the anticipation rejection of Claim 1.

Claims 2-4 are considered allowable for the reasons advanced for Claim 1 from which they depend. These claims are further considered allowable as they recite other features of the invention that are neither disclosed nor suggested by the applied references when those features are considered within the context of Claim 1.

Consequently, in view of the above discussion, it is respectfully submitted that the present application is in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Eckhard H. Kuesters  
Registration No. 28,870  
Attorney of Record

Christopher D. Ward  
Registration No. 41,367

Customer Number

**22850**

Tel. (703) 413-3000  
Fax. (703) 413-2220  
(OSMMN 10/01)

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